

(Notice of Appellate Action)

<input type="checkbox"/> Notice of Filing <input checked="" type="checkbox"/> Cross Appeal <input type="checkbox"/> Interlocutory Appeal <input type="checkbox"/> Additional NOA <input type="checkbox"/> Amended NOA <input type="checkbox"/> Transmittal of Record <input type="checkbox"/> Transmittal of Certif. <input type="checkbox"/> Supplement to ROA <input type="checkbox"/> Supplemental Certif. <input type="checkbox"/> Other	UNITED STATES DISTRICT COURT for the Eastern DISTRICT OF <u>Virginia</u> at <u>Richmond</u> Caption: Betty J. Ostergren v. Robert F. McDonnell, etc.	District Court No.: <u>3:08-cv-00362-REP</u> 4CCA No.: <u>09-1723</u> Consolidated with No.: Case Manager: Jeff Neal
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Part I

Notice of appeal is enclosed to all parties (except to appellant in civil cases); NOA, docket entries, district court opinion and order, and magistrate judge's recommendation (if applicable) are enclosed to 4CCA.

1. NOA filed: 07/08/2009	4. Fees _____USA no fee required \$5 filing fee: _____paid <input checked="" type="checkbox"/> unpaid \$450 docket fee: _____paid <input checked="" type="checkbox"/> unpaid Pauper status: _____granted_____denied_____pending in dist.ct. Does PLRA Apply? _____Yes _____No 3-strikes? ____Yes ____No [If PLRA applies, 4CCA sends forms & acts on application]
2. Amended NOA filed:	
3. District Judge: Judge Robert E. Payne	5. Materials Under Seal in District Court: ____Yes <input checked="" type="checkbox"/> No Party Names Under Seal in District Court: ____Yes <input checked="" type="checkbox"/> No
6. Court Reporter(s) (list all): Peppy Strahan Coordinator:	7. Criminal/Prisoner Cases _____recalcitrant witness Defendant's Address: _____on death row _____in custody _____on bond _____on probation

Part II

TRANSMITTAL OF RECORD/CERTIFICATE OF AVAILABILITY OF RECORD

☐ ORIGINAL RECORD ☐ SUPPLEMENT TO RECORD

USE FOR RECORDS IN ELECTRONIC FORM:	USE FOR RECORDS IN PAPER FORM:
<input type="checkbox"/> PRO SE: Automatically transmit assembled electronic record to 4CCA in pro se cases. Does electronic record include all filings? <input type="checkbox"/> YES <input type="checkbox"/> NO If NO, list contents and transmittal method for supplement here (supplement must be transmitted): _____ _____ _____ _____	<input type="checkbox"/> PRO SE: Automatically transmit paper record to 4CCA in pro se cases. List contents by volume number & number of boxes (pleadings, transcript, exhibits, state court records, sealed): _____ _____ _____ _____ _____
<input type="checkbox"/> COUNSELED: Available for transmittal In-court hearing(s) held? ___ YES ___ NO All transcript on file? ___ YES ___ NO 4CCA will request transmittal of record when needed in counseled cases.	<input type="checkbox"/> COUNSELED: Available for transmittal In-court hearing(s) held? ___ YES ___ NO All transcript on file? ___ YES ___ NO 4CCA will request transmittal of record when needed in counseled cases.